

2005 DRAFTING REQUEST

Bill

Received: **11/05/2004**

Received By: **mlief**

Wanted: **As time permits**

Identical to LRB:

For: **Marlin Schneider (608) 266-0215**

By/Representing:

This file may be shown to any legislator: **NO**

Drafter: **mlief**

May Contact:

Addl. Drafters:

Subject: **Real Estate - miscellaneous**

Extra Copies: **PG**

Submit via email: **YES**

Requester's email: **Rep.Schneider@legis.state.wi.us**

Carbon copy (CC:) to:

Pre Topic:

No specific pre topic given

Topic:

Requiring a tenant's security deposit to be returned within 45 days

Instructions:

See Attached

Drafting History:

<u>Vers.</u>	<u>Drafted</u>	<u>Reviewed</u>	<u>Typed</u>	<u>Proofed</u>	<u>Submitted</u>	<u>Jacketed</u>	<u>Required</u>
/?	mlief 11/09/2004	lkunkel 11/19/2004 lkunkel 11/22/2004					
/1			pgreensl 11/23/2004		sbasford 11/23/2004	lnorthro 11/23/2004	

LRB-0669

11/23/2004 12:04:39 PM

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Vers. Drafted Reviewed Typed Proofed Submitted Jacketed Required

FE Sent For: *none*

<END>

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	11/09/2004	11/19/2004					
		lkunkel					
		11/22/2004					
/1			pgreensl		sbasford		
			11/23/2004		11/23/2004		

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11/23/2004 10:50:54 AM

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/?	mlief	1/mk 11/19	1/jld 11/22	1/bz 11/23	1/p8 11/23		
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FE Sent For:

<END>

2003 ASSEMBLY BILL 583

October 15, 2003 - Introduced by Representatives SCHNEIDER, HAHN, BIES and HINES. Referred to Committee on Housing.

granting
and repair rulemaking authority ✓
ReGen

1 AN ACT to create 704.28 of the statutes; relating to: return of security deposit
2 to tenant.

Analysis by the Legislative Reference Bureau

This bill provides that a landlord must, within 45 days after a tenant surrenders the rental premises, deliver or mail to the tenant the full amount of any security deposit paid by the tenant, less any amounts properly withheld from the security deposit by the landlord, along with a written statement that itemizes any amounts withheld. The bill requires the Department of Agriculture, Trade and Consumer Protection (DATCP) to, by rule, define "security deposit" and specify when premises are surrendered and what amounts may be properly withheld from a security deposit.

Currently, administrative rules of DATCP define "security deposit," specify when premises are surrendered and what amounts may be properly withheld from a security deposit, and require a written statement accounting for the amounts withheld. The rules also provide, however, that a security deposit must be delivered or mailed to a tenant within 21 days after the premises are surrendered. Thus, the bill increases the length of time for a landlord to return a security deposit.

The people of the state of Wisconsin, represented in senate and assembly, do enact as follows:

3 SECTION 1. 704.28 of the statutes is created to read:

ASSEMBLY BILL 583

704.28 Return of security deposit. (1) A landlord shall deliver or mail to a tenant, within 45 days after the tenant surrenders the premises, the full amount of any security deposit paid by the tenant and held by the landlord, less any amounts properly withheld by the landlord, along with a written statement itemizing the withheld amounts.

(2) For purposes of sub. (1), the department of agriculture, trade and consumer protection shall by rule define "security deposit" and specify when surrender of the premises occurs and what amounts a landlord may properly withhold from a tenant's security deposit.

SECTION 2. Initial applicability.

(1) This act first applies to tenancies entered into on the effective date of this subsection.

(END)

Northrop, Lori

From: Schneider, Marlin
Sent: Tuesday, November 23, 2004 11:46 AM
To: LRB.Legal
Subject: Draft review: LRB 05-0669/1 Topic: Requiring a tenant's security deposit to be returned within 45 days

It has been requested by <Schneider, Marlin> that the following draft be jacketed for the ASSEMBLY:

Draft review: LRB 05-0669/1 Topic: Requiring a tenant's security deposit to be returned within 45 days